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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kownacki, Charles D. et al.
Appl. No.: 10/026,674
Conf. No.: 7082
Filed: December 27, 2001
Title: PNEUMATIC ENGINE
Art Unit: 3748
Examiner: Nguyen, Hoang M.
Docket No.: 115429-140

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. §1.47(a)

Sir:

Pursuant to 37 C.F.R. §1.47(a), applicants Jeffrey G. Rehkemper and Ronnen Harary request that the filing of the above-identified application be complete without a declaration under 37 C.F.R. §1.172 signed by co-inventor Charles D. Kownacki, since Mr. Kownacki is refusing to join the application.

In support of this petition, submitted herewith are (1) a check in the amount of $200.00 for the required fee under 37 C.F.R. §1.17(g), and (2) a declaration of Susanne Teixeira establishing the pertinent facts and circumstances which show that Mr. Kownacki is refusing to join the application.

Mr. Kownacki's last known address is:

3675 Julie Court
Erie, PA 16506

01/11/2006 RMEBRAHT 00000045 10026674
01 FC:1463 200.00 OP

In view of the forgoing, it is respectfully requested that this application be accepted under the provisions of 37 C.F.R. §1.47(a), and that it be accorded the filing date of December 27, 2001.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY _____

MacLane C. Key
Reg. No. 48,250
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (202) 955-6855



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Kownacki, Charles D. et al.
Appl. No.:	10/026,674
Conf. No.:	7082
Filed:	December 27, 2001
Title:	PNEUMATIC ENGINE
Art Unit:	3748
Examiner:	Nguyen, Hoang M.
Docket No.:	115429-140

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF SUSANNE TEIXEIRA

Sir:

Susanne Teixeira of Spin Master Toys, 450 Front Street West, Toronto, Ontario, CANADA M5V 1B6 states:

1. She forwarded a copy of the application and Reissue Application Declaration by the Inventor via UPS to Charles D. Kownacki's last known address set forth in the letter (Exhibit A). Although the UPS Tracking Report (Exhibit B) shows that the package was received, no response has been received.

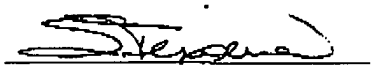
2. She contacted Mr. Kownacki's residence by telephone and left messages on his answering machine requesting that he sign and return the declaration documents on November 25, 2005; November 29, 2005; December 5, 2005; December 12, 2005; and December 21, 2005, but has received no response.

3. She caused Evangeline Saldana, who has been in recent e-mail contact with Mr. Kownacki, to e-mail Mr. Kownacki, requesting that he sign and return the declaration documents, but Mr. Kownacki has ignored the e-mailed request.

4. She believes Mr. Kownacki is refusing to sign the declaration, based on the above circumstances.

The undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Susanne Teixeira
Contracts/IP Manager
Spin Master Toys
450 Front Street West
Toronto, Ontario
CANADA M5V 1B6

Dated: Jan. 4/06

OIPE
JAN 06 2006
PATENT & TRADEMARK OFFICE
IAP50

Via Courier

November 22, 2005

Charles D. Kownacki
3675 Julie Court
Erie, PA
16506 USA

Attention: Charles Kownacki

Re: U.S. Patent Application Serial No. 10/026,674 – Pneumatic Engine; Kownacki, et al,

Dear Charles,

Enclosed is the new Reissue Application Declaration for the U.S. Patent Application Pneumatic Engine. The new declaration requires your signature.

Kindly please arrange to sign the declaration where marked. Once signed please send the document via overnight courier back to my attention to ensure that we meet the filing date of November 28, 2005.

If you have any questions, please let me know. I appreciate you attention to this matter.

Yours very truly,

S. Teixeira

Susanne Teixeira
Contracts/IP Manager, Legal Department
Spin Master Ltd.
Tel: 416-364-6002 x 264
Fax: 416-542-1677
susannet@spinmaster.com

Encl.

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EXHIBIT
A

Tracking

- Track by Tracking Number
 - Track by E-mail
 - Import Tracking Numbers
- Track by Reference Number
- Track by Freight Tracking Number
- Track by Freight Shipment Reference
- Track with Quantum View
- Sign up for Signature Tracking
- Void a Shipment
- Help

Track by Tracking Number

View Details

Status:	Delivered
Delivered on:	23/11/2005 9:15
Location:	PORCH
Delivered to:	ERIE, PA, US
Shipped or Billed on:	22/11/2005
Tracking Number:	1Z 23X 69X 66 2761 872 0
Service Type:	EXPRESS

Package Progress:

Location	Date	Local Time	Activity
ERIE, PA, US	23/11/2005	9:50	OUT FOR DELIVERY
	23/11/2005	9:15	DELIVERY
	23/11/2005	9:00	ARRIVAL SCAN
PITTSBURGH, PA, US	23/11/2005	6:40	DEPARTURE SCAN
	23/11/2005	5:53	ARRIVAL SCAN
LOUISVILLE, KY, US	23/11/2005	4:42	DEPARTURE SCAN
	23/11/2005	1:40	IMPORT SCAN
	23/11/2005	0:45	ARRIVAL SCAN
MISSISSAUGA, ON, CA	22/11/2005	22:56	DEPARTURE SCAN
	22/11/2005	20:59	ARRIVAL SCAN
CONCORD, ON, CA	22/11/2005	20:30	DEPARTURE SCAN
	22/11/2005	19:16	ORIGIN SCAN
CA	22/11/2005	17:26	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 03/01/2006 15:04 Eastern Time

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Holiday Season Guarantees

UPS Worldwide Express Plus deliveries are guaranteed for on-schedule delivery as usual throughout the holiday season. The guarantee for UPS Worldwide Express and UPS Worldwide Express Saturday Delivery shipments scheduled for delivery within the United States on Friday, November 25 and between Monday and Saturday, December 19 to 24 will be extended by 90 minutes. The guarantee does not apply to UPS Standard shipments that are picked up or scheduled to be delivered within the United States, between December 12 and December 24.

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